

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FOSTER PARENTS ASSOCIATION OF  
WASHINGTON STATE,

Plaintiff,

v.

KEVIN QUIGLEY, et al.,

Defendants.

CASE NO. C11-5051 BHS

ORDER GRANTING IN PART  
AND DENYING IN PART  
PLAINTIFF'S MOTION TO  
APPROVE SETTLEMENT  
AGREEMENT

This matter comes before the Court on Plaintiff Foster Parents Association of Washington State's ("FPAWS") motion to approve settlement agreement (Dkt. 224).

On August 19, 2014, the Court entered the parties' stipulated motion to stay this case pending a settlement agreement. Dkt. 217. On November 25, 2014, FPAWS filed a motion to approve settlement agreement. Dkt. 224. On December 8, 2014, Defendants Kevin Quigley and Jennifer Strus ("Defendants") responded. Dkt. 227. On December 19, 2014, FPAWS replied. Dkt. 230.

1 First, FPAWS moves the Court to approve the final settlement agreement. The  
 2 Court has reviewed the agreement (Dkt. 225-1 at 22–27) and finds no reason to object to  
 3 the agreement. To the extent that FPAWS requests that the Court adopt the agreement as  
 4 an order of the Court, Defendants argue that there is no reason for the agreement to  
 5 become an order of the Court. Dkt. 227 at 8. The Court agrees. Once a final dismissal  
 6 order is entered, the Court will retain jurisdiction over the agreement “to vindicate its  
 7 authority [and] effectuate its decree . . . .” *In re Valdez Fisheries Development Ass’n,*  
 8 *Inc.*, 439 F.3d 545, 549 (9th Cir. 2006). Until that time, however, the case is stayed  
 9 pending action by the Washington Legislature. Therefore, the Court grants the motion to  
 10 the extent that the settlement agreement is approved by the Court.

11 Second, the parties dispute whether the Court should consider awarding FPAWS  
 12 attorney’s fees at this time. This case is stayed pending action by the legislature and any  
 13 consideration of fees would be premature. Even if FPAWS is the prevailing party on  
 14 some of its claims, there is no reason to determine that fractional amount at this point in  
 15 the proceeding. The possibility that this matter may still go to trial further complicates  
 16 any determination of fees. Therefore, the Court denies FPAWS’s motion to set a  
 17 deadline for a motion for attorney’s fees.

18 **IT IS SO ORDERED.**

19 Dated this 30th day of December, 2014.



20  
21 BENJAMIN H. SETTLE  
22 United States District Judge